

INTERAGENCY AGREEMENT
BETWEEN
THE ARIZONA DEPARTMENT OF TRANSPORTATION
AND
THE ARIZONA DEPARTMENT OF COMMERCE

THIS AGREEMENT is entered into 9 April, 1997,
under the provisions of Arizona Revised Statutes Section 35-148, between agencies of
the STATE OF ARIZONA, to wit; the ARIZONA DEPARTMENT OF
TRANSPORTATION, acting by and through its INTERMODAL TRANSPORTATION
DIVISION (the "ADOT") and ARIZONA DEPARTMENT OF COMMERCE, acting by and
through its DIRECTOR (the "COMMERCE").

I. RECITALS

1. The ADOT is empowered by Arizona Revised Statutes Section 28-108 and 35-148 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the ADOT.

2. COMMERCE is empowered by Arizona Revised Statutes Section 41-1504 to enter into this agreement and has resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the COMMERCE.

3. The Arizona legislature has authorized alternatively fueled vehicles to utilize "high occupancy vehicle" lanes on Phoenix metropolitan freeways, provided they display an appropriate "AFV" license plate or sticker. The costs of the high occupancy vehicle lane sign markings required shall be paid from the monies in the Arizona Clean Air Fund established by Arizona Revised Statute Section 41-1516, and are to be provided to the ADOT. The monies shall be distributed by COMMERCE through interagency agreement to the ADOT.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

II. SCOPE

1. The ADOT will:

a. Invoice COMMERCE for the reasonable direct actual cost of manufacturing and erecting the signs, in an amount currently estimated at \$6,750.00.

b. Manufacture and install the signs along freeway HOV lanes in the metropolitan area.

2. The COMMERCE will:

a. Remit to ADOT via state service transfer the reasonable direct actual cost of manufacturing and erecting the signs, in an amount currently estimated at \$6,750.00.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until cancelled by either party or other competent authority.

2. This agreement shall become effective upon execution by the parties hereto.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

Department of Commerce
Strategic Finance Director
3800 N. Central Avenue Suite 1500
Phoenix, AZ 85012

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

STATE OF ARIZONA

DEPARTMENT OF COMMERCE

DEPARTMENT OF TRANSPORTATION

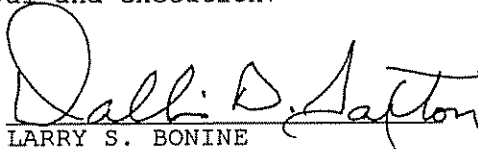
By 
JACKIE VIEH
Director

By 
MICHAEL P. MANTHEY
State Traffic Engineer

RESOLUTION

BE IT RESOLVED on this 10th day of March 1997, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with Arizona Department of Commerce for the purpose of defining responsibilities for the manufacturing and installation of Alternative Fueled Vehicles signing on freeway HOV lanes in the metropolitan Phoenix area.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the State Traffic Engineer for approval and execution.


for LARRY S. BONINE
Director